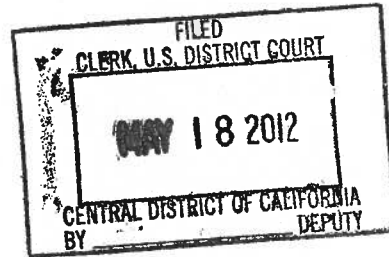


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9 Attorneys for Plaintiff SHANT H.
MARDIROSIAN, on behalf of himself
10 and all others similarly situated

11 UNITED STATES DISTRICT COURT

12 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

13 SHANT H. MARDIROSIAN, on behalf
of himself and all others similarly
14 situated,

Case No. CV 12-4342-GHK (EH)

CLASS ACTION

15 Plaintiff,

**COMPLAINT FOR DAMAGES
AND INJUNCTIVE RELIEF**

16 v.

1. INVASION OF PRIVACY IN
VIOLATION OF
CALIFORNIA PENAL CODE
SECTIONS 630 ET SEQ.
2. VIOLATION OF COMMON
LAW RIGHT OF PRIVACY
3. NEGLIGENCE

17 NATIONWIDE CREDIT, INC., A
Georgia Corporation; ALTISOURCE
18 SOLUTIONS, INC., A Delaware
Corporation; and DOES 1-10, inclusive,
19

20 Defendants.

DEMAND FOR JURY TRIAL

21
22 Plaintiff Shant H. Mardirosian ("Plaintiff"), individually, and on behalf of the
23 Class of all other, similarly situated persons defined below, demands a trial by jury and
24 hereby complains and alleges upon information and belief as follows:

25 **INTRODUCTION**

26 1. This Class Action Complaint challenges the policy and practice of
27 Defendants Nationwide Credit, Inc., Altisource Solutions, Inc., and DOES 1 through
28 10, inclusive (collectively, "Defendants"), who surreptitiously record telephone

1 conversations with California consumers. Defendants' policy and practice violate the
 2 rights of consumers under California's Invasion of Privacy Act, California Penal Code
 3 Section 630 *et seq.* (the "Privacy Act"), violate the common law right to privacy, and is
 4 negligent.

5 2. California's Constitution enshrines privacy as a protected, inalienable
 6 right:

7 *All people are by nature free and independent and have inalienable rights.*
 8 *Among these are enjoying and defending life and liberty, acquiring,*
 9 *possessing, and protecting property, and pursuing and obtaining safety,*
 10 *happiness, and privacy.*

11 Cal. Const. art. I, § 1 (emphasis added).

12 3. The common law tort of intrusion into private matters flows from California's
 13 Constitution and encompasses unwarranted, sensory intrusions such as eavesdropping,
 14 wiretapping, and the surreptitious recording of telephone communications.

15 4. The Privacy Act enhances and specifically protects the right to privacy by
 16 establishing specific protections against unlawful intrusions into private
 17 communications, as explained in Penal Code Section 630:

18 The Legislature hereby declares that advances in science and technology
 19 have led to the development of new devices and techniques for the
 20 purpose of eavesdropping upon private communications and that the
 21 invasion of privacy resulting from the continual and increasing use of such
 22 devices and techniques has created a serious threat to the free exercise of
 23 personal liberties and cannot be tolerated in a free and civilized society.
 24 The Legislature by this chapter intends to protect the right of privacy of
 25 the people of this state.

26 5. The Privacy Act specifically prohibits secret recording of telephone
 27 conversations:

28 Every person who, intentionally and without the consent of all parties
 to a confidential communication, by means of any electronic
 amplifying or recording device, eavesdrops upon or records the
 confidential communication, whether the communication is carried on
 among the parties in the presence of one another or by means of a
 telegraph, telephone, or other device, except a radio, shall be punished
 by a fine

Cal. Penal Code § 632(a).

6. Defendants have systematically and repeatedly violated the Privacy Act

1 and the common law right to privacy, and in so doing, have breached their duties and
2 acted negligently, by surreptitiously recording telephone conversations with California
3 consumers.

4 7. Under California law, a telephone conversation is a confidential
5 communication that may not be recorded, regardless of the content of the conversation
6 or the type of telephone involved, unless the recording party first informs all parties to
7 the conversation that it will be recorded. Telephone users have objectively reasonable
8 expectations that their telephone conversations will not be overheard or recorded.
9 Informing all parties to a telephone conversation of the intent to record the conversation
10 permits a party who does not wish to be recorded to hang up or, if the party decides to
11 continue participating in the recorded conversation, to modify their tone or speech to
12 account for the fact that the conversation is being recorded.

13 8. California Penal Code Section 632 is violated the moment the recording is
14 made without the consent of all parties thereto, regardless of whether it is subsequently
15 disclosed. The only intent required by Penal Code Section 632 is that the act of
16 recording itself be done intentionally. There is no requisite intent on behalf of the party
17 doing the surreptitious recording to break California or any other law, or to invade the
18 privacy rights of any other person.

19 9. A person who suffers a privacy violation under California Penal Code
20 Section 632 may bring a private action to recover damages. Cal. Penal Code § 637.2.
21 For each such violation, the injured party is entitled to the greater of the following
22 amounts: \$5,000 or three times the amount of any actual damages sustained. Cal. Penal
23 Code § 637.2(a). The injured party need not have suffered, or be threatened with, actual
24 damages. Cal. Penal Code § 637.2(c).

25 10. A plaintiff in such an action may also seek to enjoin further violations of
26 the Privacy Act. Cal. Penal Code § 637.2(b).

27 11. Plaintiff brings this Complaint on behalf of himself and all other California
28 residents whose telephone conversations were surreptitiously recorded by Defendants

1 between July 13, 2006 and the present (the "Class Period").

2 12. Plaintiff and the Class could not, and did not, consent to Defendants'
3 recording of their telephone conversations because Defendants did not warn Plaintiff
4 and the Class that these conversations were being recorded. Plaintiff and the Class, like
5 all members of the public, had objectively reasonable expectations that their telephone
6 conversations were confidential communications that would not be overheard or
7 recorded. Defendants thus violated the statutory rights to privacy of Plaintiff and the
8 Class under the Privacy Act, the common law right to privacy, and acted negligently in
9 so doing.

10 13. All of the allegations contained in this Complaint are based upon
11 information and belief, except for those pertaining to Plaintiff and his counsel.
12 Plaintiff's information and belief are based upon, among other things, the investigation
13 that Plaintiff and his counsel have conducted to date. The allegations in this Complaint
14 are substantiated by evidentiary support, or are likely to be substantiated by evidentiary
15 support upon further investigation and discovery.

16 **PARTIES**

17 14. Plaintiff is, and at all material times has been, a California citizen residing
18 in Glendale, Los Angeles County, State of California.

19 15. Defendant Nationwide Credit, Inc. ("NCI") is, and at all material times has
20 been, a corporation organized and existing under the laws of the State of Georgia, with
21 headquarters in Atlanta, Georgia. NCI is operating and conducting business under the
22 laws of the State of California and regularly conducts business throughout the Central
23 District of California, including Los Angeles County, State of California.

24 16. Defendant Altisource Solutions, Inc. ("Altisource") is, and at all material
25 times has been, a corporation organized and existing under the laws of the State of
26 Delaware, with headquarters in Atlanta, Georgia. Altisource is operating and
27 conducting business under the laws of the State of California and regularly conducts
28 business throughout the Central District of California, including Los Angeles County,

1 State of California.

2 17. The Defendants sued by the fictitious names DOES 1 through 10 are
3 persons or entities whose true names and identities are currently unknown to Plaintiff.
4 Plaintiff will amend this Complaint to allege the true names and capacities of these
5 fictitiously named Defendants when they are ascertained. Each of the fictitiously named
6 Defendants is responsible for the conduct alleged in this Complaint. Through their
7 conduct, the fictitiously named Defendants actually and proximately caused the
8 damages of Plaintiff and the Class.

9 18. In this Complaint, Defendants NCI, Altisource, and DOES 1 through 10,
10 inclusive, are sometimes referred to individually as "Defendant," and are sometimes
11 referred to collectively as "Defendants," or "the Defendants."

12 19. NCI describes itself on its website as "one of the largest collection
13 agencies in the nation." (URL: www.ncirm.com/Company.aspx) The relationship
14 between Defendants is also explained on NCI's website: "In 2007, Ocwen Financial
15 Corporation (Ocwen) acquired NCI expanding the Company's customer relationship
16 and receivable management capabilities. In 2009, Ocwen consolidated NCI and other
17 Ocwen® business units into a separate public company, Altisource™." (*Id.*)

18 20. At all times mentioned herein, each Defendant was acting as the agent
19 and/or employee of each of the remaining Defendants and was at all times acting within
20 the purpose and scope of such agency and employment. In doing the acts alleged
21 herein, each Defendant, and its officers, directors, members, owners, principals, or
22 managing agents (where the defendant is a corporation, limited liability company, or
23 other form of business entity) authorized and/or ratified the conduct of each other
24 Defendant and/or of his/her/its employees.

25 JURISDICTION AND VENUE

26 21. This Court has original jurisdiction over this action under the Class Action
27 Fairness Act, 28 U.S.C. § 1332(d), because this is a class action in which (i) the
28 proposed class consists of more than 100 members; (ii) at least some members of the

1 proposed class are citizens of a state different from any defendant; and (iii) the matter
2 in controversy exceeds \$5,000,000, exclusive of interest and costs.

3 22. Venue is proper in the Central District of California, Western Division,
4 pursuant to 28 U.S.C. § 1391(a) because a substantial part of the events that give rise to
5 the claims herein occurred in this District. In particular, Plaintiff is informed, believes,
6 and thereupon alleges that his telephone conversations with Defendants were recorded
7 by Defendants while he was within this District and Division.

8 **FACTUAL BACKGROUND**

9 23. Plaintiff is informed, believes, and thereupon alleges that during the Class
10 Period, Defendants have utilized certain computer hardware and software technology
11 (“Call Recording Technology”) to execute a company-wide policy and practice of
12 recording all telephone conversations with consumers.

13 24. Plaintiff is further informed, believes, and thereupon alleges that
14 Defendants installed and/or utilized Call Recording Technology on all of their
15 consumer-facing telephone lines. Plaintiff is further informed, believes, and thereupon
16 alleges that this Call Recording Technology enabled Defendants to record all of their
17 telephone conversations with consumers, and allowed them to store and listen to these
18 recordings for various purposes.

19 25. Plaintiff is further informed, believes, and thereupon alleges that
20 Defendants’ employees, agents, and representatives were directed, trained, and
21 instructed to, and did, record telephone conversations with consumers.

22 26. Plaintiff is further informed, believes, and thereupon alleges that
23 Defendants did not provide any verbal warnings or automated, pre-recorded warnings
24 to consumers who participated in a telephone conversation with Defendants that the
25 telephone conversation was recorded. Plaintiff is further informed, believes, and
26 thereupon alleges that, during the Class Period, Defendants did not provide any
27 periodically repeated, audible “beep tone” or other sound throughout the duration of a
28 telephone conversation to warn consumers that the call was recorded.

1 27. In or about August, 2011, Plaintiff received a telephone call from
2 Defendants on his home telephone line. Defendants' employee, agent, or representative
3 asked to speak with another individual by name and Plaintiff responded by advising
4 that no one by that name lived at that address. Defendants' employee, agent, or
5 representative then asked Plaintiff questions regarding his address and identity.
6 Plaintiff, in turn, asked the employee, agent, or representative of Defendants to identify
7 his company, and was advised that the person was calling on behalf of Defendant NCI.
8 Plaintiff then asked whether the call was being recorded. The agent, employee or
9 representative of Defendants admitted that the call was being recorded. Plaintiff advised
10 that he was not comfortable with being recorded and ended the call.

11 28. Plaintiff is informed, believes, and thereupon alleges that Defendants
12 recorded this telephone conversation. Defendants failed to verbally warn Plaintiff, at
13 the outset of the telephone conversation, of Defendants' intent to record the
14 conversation. Defendants failed to provide an automated, pre-recorded warning or a
15 periodically repeated beep tone or other sound to warn Plaintiff during the call that the
16 conversation was being recorded. Because Defendants failed to warn Plaintiff at the
17 outset of the telephone conversation that the call was being recorded, Plaintiff was
18 deprived of the ability to either decline to participate in a recorded call or to censor the
19 content of the conversation. Plaintiff did not provide Defendants with consent to record
20 the telephone conversations.

21 **CLASS ACTION ALLEGATIONS**

22 29. Plaintiff brings this action, on behalf of himself and all others similarly
23 situated, as a class action pursuant to Federal Rule of Civil Procedure 23. This action
24 may be brought and properly maintained as a class action because Plaintiff satisfies the
25 numerosity, adequacy, typicality, and commonality pre-requisites for suing as a
26 representative party pursuant to Rule 23.

27 30. **Class Definition.** The proposed, plaintiff Class that Plaintiff seeks to
28 represent is preliminarily composed of and defined as follows:

1 All California residents who participated in one or more telephone
2 conversations with employees, agents, or representatives of Defendants
3 between July 13, 2006 and the present and did not receive a warning that
4 their telephone conversations were recorded.

5 31. Excluded from the Class are Defendants named herein; officers and
6 directors of Defendants; members of the immediate family of any Defendant; any
7 judges or justices to whom this action is assigned and their immediate families; and the
8 legal representatives, heirs, successors, or assigns of any such excluded party.

9 32. Plaintiff reserves the right to amend or otherwise alter the Class definition
10 presented to the Court at the appropriate time, or propose or eliminate sub-classes, in
11 response to facts learned through discovery, legal arguments advanced by Defendants,
12 or otherwise.

13 33. **Numerosity and Ascertainability**. The members of the Class are so
14 numerous that joinder of all members is impracticable. Although the precise number of
15 Class members is unknown to Plaintiff at this time, Plaintiff estimates that there are
16 more than 100 and it is likely that there are thousands of putative Class members.
17 Moreover, the precise number of Class members and their addresses may be obtained
18 from a review of Defendants' own records. This information may then be used to
19 contact potential Class members.

20 34. **Typicality**. Plaintiff is a member of the Class. His claims are typical of the
21 claims of other members of the Class that he seeks to represent. Plaintiff alleges that
22 Defendants systematically recorded telephonic conversations without warning all
23 parties that these confidential communications were recorded, in violation of the
24 privacy rights of the Plaintiff and the Class under the Privacy Act and common law.
25 The harm that Plaintiff and all other Class members suffered arose from, and was
26 caused by, the same conduct by Defendants. Defendants have acted, or refused to act,
27 on grounds generally applicable to the Class, thereby making injunctive relief and
28 damages pursuant to California Penal Code Section 637.2 and other damages available
under common law appropriate with respect to the Class as a whole.

1 35. **Adequacy of Representation.** Plaintiff will fairly and adequately
2 represent and protect the interests of the Class members. Plaintiff has retained counsel
3 that is competent and experienced in consumer class action litigation to ensure such
4 protection. Plaintiff and his counsel intend to prosecute this action vigorously for the
5 benefit of the Class. Plaintiff has no interests that are antagonistic to those of the Class.
6 Plaintiff has no interests that are in conflict with those of the Class.

7 36. **Superiority.** A class action is superior to other available methods for the
8 fair and efficient adjudication of this controversy for several reasons. First, it is unlikely
9 that putative Class members will pursue individual litigation because, unless notice is
10 sent to each putative Class member whose telephone conversation was recorded, Class
11 members will have no way to know that their privacy rights under the Privacy Act and
12 common law were violated. The very nature of Defendants' surreptitious recording
13 precludes knowledge of these privacy violations. Second, since the harm suffered by
14 each Class member is too small to warrant individual pursuit, especially in light of
15 technical issues regarding Defendants' call recording and retention systems, a class
16 action is the only viable method to obtain damages and other relief from Defendants for
17 its violations of the Privacy Act and common law. Third, class treatment would be
18 superior to adjudicating individual cases due to the much greater expense and burden
19 that individual litigation would impose upon the courts. Fourth, if the Class members
20 sought relief through individual actions, inconsistent or varying adjudications in their
21 individual cases could establish incompatible standards of conduct for the Defendants.

22 37. **Predominance of Common Questions of Law and Fact.** There exists a
23 well-defined community of interest in the questions of law and fact involved in this
24 case against Defendants, and in obtaining appropriate relief for Defendants' statutory
25 violations of the Privacy Act and the common law right to privacy. The following
26 questions of law and fact common to the Class predominate over any individualized
27 issues and the answers to those questions are apt to drive the resolution of the litigation:

28 a. Whether, during the Class Period, Defendants had a policy and

1 practice of recording all telephone conversations with
2 consumers;

3 b. Whether, during the Class Period, Defendants installed Call
4 Recording Technology to implement their policy of recording all
5 telephone conversations with consumers;

6 c. Whether, during the Class Period, the Defendants' employees,
7 agents, or representatives were directed, trained, and instructed
8 to, and did, record all of the Defendants' telephone conversations
9 with consumers in order to implement the Defendants' policy
10 and practice of recording all telephone conversations with
11 consumers;

12 d. Whether, during the Class Period, Defendants' policy and
13 practice of recording all telephone conversations with consumers
14 included a policy and practice of warning Class members,
15 including the Plaintiff, at the outset of each recorded telephone
16 conversation that the telephone conversation was recorded;

17 e. Whether, during the Class Period, Defendants failed to warn
18 Class members who participated in a telephone conversation
19 with the Defendants that the telephone conversation was
20 recorded;

21 f. Whether Defendants' recording of Plaintiff's and Class
22 members' telephone conversations without warning during the
23 Class Period constitutes violations of California Penal Code
24 Section 632;

25 g. Whether Plaintiff and Class members are entitled to recover the
26 greater of statutory damages in the amount of \$5,000 for each
27 violation of California Penal Code Section 632 pursuant to
28 Section 637.2(a)(1), or treble damages for each violation of

1 California Penal Code Section 632 pursuant to Section
 2 637.2(a)(2);

- 3 h. Whether Plaintiff and Class members are entitled to injunctive
 4 relief pursuant to California Penal Code Section 637.2(b) to
 5 enjoin or restrain the Defendants from committing further
 6 violations of Penal Code Section 632;
- 7 i. Whether Defendants' recording of Plaintiff's and Class
 8 members' telephone conversations without warning during the
 9 Class Period constitute violations of the common law right of
 10 privacy;
- 11 j. Whether Defendants' recording of Plaintiff's and Class
 12 members' telephone conversations without warning during the
 13 Class Period was negligent;
- 14 k. Whether Plaintiff and Class members suffered harm as a result of
 15 their telephone conversations being recorded without warning
 16 during the Class Period;
- 17 l. Whether Defendants' conduct was a substantial factor in causing
 18 the harm suffered by Plaintiff and Class members;
- 19 m. Whether Plaintiff and Class members are entitled to recover
 20 damages and the measure of damages for each violation of the
 21 common law right of privacy; and
- 22 n. Whether Plaintiff and Class members are entitled to recover
 23 damages and the measure of damages for Defendants' negligent
 24 acts.

25 38. The core factual and legal issues are the same for all Class members:
 26 whether the Class member received one or more telephone calls from an employee,
 27 agent, or representative of Defendants during the Class Period; whether, at the outset of
 28 this telephone conversation, Defendants warned the Class member that the telephone

1 conversation was recorded; and the measure of damages.

2 39. Plaintiff is unaware of any difficulties that are likely to be encountered in
3 the management of this action that would preclude its maintenance as a class action.

4 40. The nature of notice to the proposed Class is contemplated to be by direct
5 mail and/or email upon certification of the Class or, if such notice is not practicable, by
6 the best notice practicable under the circumstance including, *inter alia*, publication in
7 major newspapers and on the internet.

8 41. The delayed discovery doctrine applies to toll the claims of Class
9 members. Under the delayed discovery doctrine, the time for bringing these claims does
10 not begin to run until a plaintiff discovers or should have discovered the injury. Thus,
11 the limitations period for claims of Class members does not begin to run until
12 Defendants produce to them copies of their recorded telephone conversations or
13 otherwise admit to them to recording their telephone conversations. The very nature of
14 Defendants' surreptitious recording precludes knowledge of these privacy violations.
15 Because the recording was secretive in nature, Class members did not suffer an obvious
16 harm, where all essential facts are either known or knowable at the time the harm was
17 caused, that would enable them to either know or suspect wrongdoing and therefore
18 have sufficient knowledge to investigate and potentially assert claims. In addition to the
19 tolling afforded the Class by the delayed discovery rule, the time period is also tolled
20 by the filing of this putative class action.

21 FIRST COUNT

22 STATUTORY INVASION OF PRIVACY

23 IN VIOLATION OF CALIFORNIA PENAL CODE SECTION 632

24 42. Plaintiff repeats and realleges and reincorporates herein by this reference
25 all of the foregoing paragraphs, above, as though set forth in full herein.

26 43. At all material times, California Penal Code Section 632 was in full force
27 and effect and was binding upon Defendants, and existed for the benefit of the Class
28 members, including Plaintiff, all of whom are and/or were protected by the Privacy Act.

1 44. Plaintiff is informed, believes, and thereupon alleges that Defendants
2 installed and/or caused to be installed Call Recording Technology on the telephone
3 lines of all employees, agents, or representatives of Defendants who made or received
4 consumer-facing telephone calls during the Class Period.

5 45. Plaintiff is further informed, believes, and thereupon alleges that
6 Defendants maintained and utilized this Call Recording Technology with the intent to
7 record each and every telephone conversation with consumers, and carry out
8 Defendants' policy of recording each and every telephone conversation with
9 consumers, during the Class Period.

10 46. Plaintiff is further informed, believes, and thereupon alleges that
11 Defendants further directed, trained, and instructed their employees, agents, or
12 representatives to record all telephone conversations with consumers in order to carry
13 out this policy and practice during the Class Period.

14 47. Plaintiff is further informed, believes, and thereupon alleges that
15 Defendants' policy and practice of recording all telephone conversations with
16 consumers failed to include a policy and practice that its employees, agents, or
17 representatives warn Class members, including Plaintiff, who participated in telephone
18 calls with Defendants during the Class Period, at the outset of each call that the
19 telephone conversation was being recorded by Defendants.

20 48. Plaintiff is further informed, believes, and thereupon alleges that
21 Defendants failed to warn the Class members, including the Plaintiff, at the outset of
22 each and every telephone conversation initiated or received by Defendants during the
23 Class Period that the conversation was recorded.

24 49. Defendants violated California Penal Code Section 632 by recording
25 telephone conversations with Class members, including Plaintiff, during the Class
26 Period, without the consent of all parties to these conversations.

27 50. California Penal Code Section 637.2 is a manifestation of the California
28 Legislature's determination that the privacy invasion arising from the non-consensual

1 recording of a confidential communication constitutes an affront to human dignity that
2 warrants a minimum of \$5,000 in statutory damages per violation, even in the absence
3 of proof of actual damages, or treble damages, whichever amount is greater, as well as
4 injunctive relief enjoining further violations. Defendants' surreptitious recordings of the
5 confidential communications of Plaintiff and the Class caused injury to Plaintiff and the
6 Class in the form of an affront to their human dignity, and damages in amounts to be
7 determined at the time of trial.

8 51. Based upon the foregoing, the Class members, including the Plaintiff, are
9 entitled to, and below do pray for, damages for each of Defendants' violations of
10 California Penal Code Section 632 and for injunctive relief, as provided under Penal
11 Code Section 637.2.

12 **SECOND COUNT**

13 **COMMON LAW INVASION OF PRIVACY**

14 52. Plaintiff realleges and reincorporates herein by this reference all of the
15 foregoing paragraphs, above, as though set forth in full herein.

16 53. Plaintiff and Class members are guaranteed by the California Constitution
17 and common law a right of privacy and a right to protection from unreasonable
18 intrusion into their private affairs.

19 54. Plaintiff and Class members had objectively reasonable expectations that
20 their telephone conversations with Defendants were private communications that were
21 not being overheard or recorded.

22 55. Plaintiff is informed, believes, and thereupon alleges that Defendants
23 intended to record Plaintiff's and Class members' telephone conversations by means of
24 Call Recording Technology, thereby intruding upon the private affairs of Plaintiff and
25 Class members.

26 56. This intrusion into Plaintiff's and Class members' right to privacy was
27 outrageous and highly offensive to Plaintiff and Class members, and is highly offensive
28 to a reasonable person.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, individually and on behalf of all others similarly situated, hereby prays that the Court determine that this action may be maintained as a class action and further prays that the Court enter judgment in his favor and against the Defendants, as follows:

1. For the greater of statutory damages pursuant to California Penal Code Section 637.2(a)(1) in the amount of \$5,000 per violation of Penal Code Section 632, or treble damages pursuant to California Penal Code Section 637.2(a)(2) per violation of Penal Code Section 632;

2. For entry of a preliminary and permanent injunction pursuant to California Penal Code Section 637.2(b) prohibiting the Defendants from continuing to violate Penal Code Section 632;

3. Economic damages;

4. Non-economic damages;

5. Punitive and exemplary damages on the second cause of action only; and

6. For such other and further relief as the Court may deem just and proper.

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1 DATED: May 18, 2012

Respectfully submitted,

2 KIESEL BOUCHER LARSON LLP

3
4
5 By:



6 PAUL R. KIESEL

7 SHEHNAZ M. BHUJWALA

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17 Attorneys for Plaintiff SHANT H.

18 MARDIROSIAN, on behalf of himself and
19 all others similarly situated
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DEMAND FOR JURY TRIAL

Plaintiff, on behalf of himself and the Class of all others similarly situated,
demands a trial by jury as to all issues so triable.

DATED: May 18, 2012

Respectfully submitted,

KIESEL BOUCHER LARSON LLP

By:



PAUL R. KIESEL
SHEHNAZ M. BHUJWALA

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Attorneys for Plaintiff SHANT H.
MARDIROSIAN, on behalf of himself and
all others similarly situated

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge George King and the assigned discovery Magistrate Judge is Charles Eick.

The case number on all documents filed with the Court should read as follows:

CV12- 4342 GHK (Ex)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Name & Address:

Paul R. Kiesel (SBN 119854)

kiesel@kbla.com

KIESEL BOUCHER LARSON LLP

8648 Wilshire Boulevard, Beverly Hills, CA 90211

Tel.: (310) 854-4444 / Fax: (310) 854-0812

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIASHANT H. MARDIROSIAN, on behalf of himself
and all others similarly situated,

PLAINTIFF(S)

v.

NATIONWIDE CREDIT, INC., A Georgia
Corporation; ALTISOURCE SOLUTIONS, INC., a
Delaware Corporation; and DOES 1-10, inclusive,

DEFENDANT(S).

CASE NUMBER

CV 12-4342-GHK (EX)

SUMMONS

TO: DEFENDANT(S): NATIONWIDE CREDIT, INC., A Georgia Corporation; ALTISOURCE SOLUTIONS,
INC., A Delaware Corporation; and DOES 1-10, inclusive

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ _____ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Paul R. Kiesel, Esq., whose address is Kiesel, Boucher & Larson, LLP, 8648 Wilshire Boulevard, Beverly Hills, CA 90211. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: 5/18/12By: Rhonda Marshall

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].